

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John W. Forsberg; Mark E. Confirmation No. 9349
 Schommer; David P.
 Olson; William C. Phillips;
 Alex C. Toy; Charles R.
 Lewis, Jr.

Serial No.: 10/693,005

Filed: October 24, 2003 Customer No.: 28863

Examiner: Christopher A. Flory

Group Art Unit: 3762

Docket No.: 1023-294US01

Title: MEDICAL DEVICE PROGRAMMER WITH INFRARED
 COMMUNICATION

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
 Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a three-month extension of time be granted in which to respond to the outstanding Office Action mailed March 21, 2008, said period of response being extended from June 21, 2008 to September 21, 2008.

Please charge Deposit Account No. 50-1778 the amount of \$1110.00 to cover the required extension fee for a large entity.

Date:

By:

October 9, 2008
 SHUMAKER & SIEFFERT, P.A.
 1625 Radio Drive, Suite 300
 Woodbury, Minnesota 55125
 Telephone: 651.286.8346
 Facsimile: 651.735.1102
 12/05/2008 CKHLOK 00000014 501778 10693005
 01 FC:1401 540.00 DA

Name: Jessica H. Kwak
 Reg. No.: 58,975

Adjustment date: 12/05/2008	CKHLOK	10693005
10/10/2008 INTEFSW	000002518	501778
02 FC:1253	1110.00	CR
Adjustment date: 12/05/2008	CKHLOK	10693005
10/04/2007 VBUU11	00000046	501778
02 FC:1401	510.00	CR

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request:		11/28/08	2 Serial/Patent #		10/693,005
3 Please refund the following fee(s):			4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing				\$
<input type="checkbox"/>	Amendment				\$
<input checked="" type="checkbox"/>	Extension of Time			10/09/08	\$ 1,110.00
<input type="checkbox"/>	Notice of Appeal/Appeal				\$
<input type="checkbox"/>	Petition				\$
<input type="checkbox"/>	Issue				\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.				\$
<input type="checkbox"/>	Maintenance				\$
<input type="checkbox"/>	Assignment				\$
<input type="checkbox"/>	Other				\$
			7 TOTAL AMOUNT OF REFUND	\$ 1,110.00	
8 TO BE REFUNDED BY:					
10 REASON:			Treasury Check		
<input type="checkbox"/>	Overpayment	X	Credit Deposit A/C #:		
<input type="checkbox"/>	Duplicate Payment		9	5 0 -- 1 7 7 8	
<input checked="" type="checkbox"/>	No Fee Due (Explanation):	Can't buy an EOT beyond expiration of maximum extendable period for reply.			
11 REFUND REQUESTED BY:					
TYPED/PRINTED NAME:			Shirene Willis Brantley		
SIGNATURE:			<u>Shirene Willis Brantley</u>		
OFFICE:			Office of Petitions		
***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****					
APPROVED:			DATE: <u>12/5/08</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
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Crystal Park One, Room 802B

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NOTICE OF APPEAL

Mail Stop Petition
Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-12, 14-21 and 32 of the above-identified application, as set forth in the Office Action mailed March 21, 2008.

On October 3, 2007, Applicant filed a first Notice of Appeal and paid the Notice of Appeal fee. Prosecution was reopened following the filing of the first Notice of Appeal. Accordingly, the previously paid Notice of Appeal fee may be applied to the present Notice of Appeal as set forth under 37 C.F.R. 41.20(b)(1). Please charge Deposit Account No. 50-1778 in the amount of \$30 which is the difference between the increased Notice of Appeal fee and the amount previously paid.

Please charge any additional fees or credit any overpayment to Shumaker & Sieffert, Deposit Account No. 50-1778.

Date:

By:

October 9, 2008

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Woodbury, Minnesota 55125
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